UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

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VS.

JUDGMENT IN A CIVIL CASE

CASE NO. 9:02-CV-1061

Leonard Portuondo

JURY VERDICT. This action came before this Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X DECISION BY COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT PETITIONER'S HABEAS CORPUS PETITION IS DENIED AND DISMISSED.

IN ACCORDANCE WITH THE HONORABLE THOMAS J. MCAVOY'S DECISION & ORDER FILED AUGUST 31, 2005.

Dated: August 31, 2005

s/S. Potter

By: Deputy Clerk